

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

Tr.P(C).No. 106 of 2007()

OP.376/2006 of FAMILY COURT,KOZHIKODE

PETITIONER

**SINIRAJ E., D/O.JAYARAJ E., AGED 23
YEARS, EDODI HOUSE, KANDOTH THAZHEKUNNIL,
LIBERTY QUARTERS, CHELEKKARA (POST),
THALASSERY.**

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENTS:

**RANJISH K., S/O.CHANDRAN, K., AGED
31 YEARS, KAMMAMKANDY HOUSE, JIJEEESH NIVAS,
PUTHIYANGADI AMSOM, DESOM, KOZHIKODE TALUK.**

BY ADV. SRI.JACOB ABRAHAM

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19/07/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

**ORDER ON I.A. 1147 OF 2007
IN
TR.P.C. NO.106 OF 2007**

DISMISSED

19/7/07

SD/- M.N. KRISHNAN, JUDGE.

[True Copy]

P.A. TO JUDGE.

M.N. KRISHNAN, J.
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Tr.P.C. NO. 106 OF 2007
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Dated this the 19th day of July, 2007.

J U D G M E N T

This Transfer Petition is filed to transfer O.P.376/06 pending before the Family Court, Kozhikode to the Family Court, Kannur. The main ground alleged is that if she comes to Kozhikode, husband and his henchmen will attack her and she is not in a position to travel to Kozhikode on each and every occasion. It is resisted by the other side in the form of argument and by making available documents for perusal and I found that it is the other way. The learned counsel for the respondent brought to my notice a complaint filed by the present respondent against the father-in-law on the ground that father-in-law along with the mother-in-law came to the office where he is working and they want to speak something to him and when he went out he was abused and the father-in-law caught hold of his color and threatened him to

Tr.P.C. NO. 106 OF 2007

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withdraw the divorce petition filed by him. So the apprehension that the family members of the husband will do away with the petitioner does not appear to be correct in the light of the conduct of the in-laws. Similarly, I am informed that in a petition for maintenance filed by the wife it is specifically stated that she is staying at Bangalore. So, whether the case is tried at Kannur or Kozhikode it is irrelevant because she has to come from Bangalore and not from Kannur. Further, the distance from Kannur to Kozhikode is not that much and it is not an inaccessible place and it is on the Highway itself. Therefore, sufficient grounds do not exist for transfer of the case. Therefore, the Tr.P.C. is devoid of merits and it is dismissed.

M.N. KRISHNAN, JUDGE.

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